

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Examiner: Roark, Jessica H. Art Unit: 1644 Avi ASHKENAZI, et al.

TECH CENTER 1800/2003 Attorney's Docket No. 39780-1618 P2C33 Application Serial No. 09/904,766

Filed: July 12, 2001 Customer No. 35489

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For: PRO269 POLYPEPTIDES

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

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Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Supplemental Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If Supplemental Form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

	This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):							
		(1)	It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d) OR					
		(2)	It is being filed within 3 months of entry of a national stage OR					
		(3)	It is being filed before the mail date of the first Office Action on the merits OR					
	$\boxtimes$	(4)	It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.					
	37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:							
		a certif	fication as specified in §1.97(e) is provided below; <b>or</b>					
			of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with yment of other papers filed together with this statement.					
	37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:							
	A.	a certif	ication as specified in §1.97(e) is completed below; and					
	B.		on under 37 C.F.R. §1.97(d) requesting consideration of this statement is ted herewith; <b>and</b>					
	C.		of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included e payment of other papers filed together with this statement.					
	Fee Authorization. The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. <u>08-1641 (Attorney's Docket No. 39780-1618 P2C33)</u> .							
			Respectfully submitted,					
Date:	Octobe	r 17, 20	By:					
275 M	iddlefiel	d Road	WHITE & McAULIFFE LLP					
Menlo	Park, C	alifornia	a 94025					

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INFORMATION DISCLOSURE STATEMENT  (use several sheets if necessary)				Attorney's Docket No. 39780-1618 P2C33   Application Serial No. 09/904,766   Applicant(s)   Avi ASHKENAZI, et al.							
										Filing Date: July 12, 2001 Group Art Unit: 1644	
								U.S. PATENT DOCUMENTS		74	
Examiner Initials	Ref. No.	Date	Document No.	Name	Class		Filing Date (if appropr				
				OREIGN PATENT DOCUMENTS							
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			 (includin	OTHER DOCUMENTS g author, title, date, pertinent pages, o	etc.)						
Examiner Initials	Ref. No.	Title									
	1.			submitted: 30-JAN-2003).							
	2.	Genbank	k, CNSU/EEV, Hellig et a	I. (submitted: 28-APRI-2001).							
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## DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

\*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).